

Monte J. White & Associates, P.C.
Monte J. White
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Wichita Falls, TX 76301
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

Robert Blain Thayer
and
Cheryl Louise Thayer
DEBTOR(s)

§ CASE NO. 12-10047-RLJ-13
§
§ HEARING DATE: 2/5/2014
§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 12/10/2013

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 2/14/2012
2. Date of Section 341 Meeting: 3/16/2012
3. First Payment Date: 3/15/2012
4. Date of Confirmation: 5/7/2012
5. Total Plan Term Prior to this Modification: 60
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 23
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 37
8. Amount of Arrears through the month prior to the date the Modification is filed: none
9. Date plan payments are to resume: 2/15/2014
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$14,132.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$13,530.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$958.00
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

TRCC 11/29/2012

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

 X DECREASE monthly payment from \$780.00 per month to \$463.00 per month
(must coincide with resume date shown in item 9 above)

Any arrears indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$463.00 will resume on or before 1/15/2014 for 37 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$43,950.00 to \$

If the base amount has changed complete the following:

- | | |
|--|--------------------|
| 1. Total Paid in as of the month prior to Modification Approval: | \$15,090.00 |
| 2. (+)Plus Total Payments to be made through the Remainder of Plan:
(Making up any arrears in item 9 above) | \$17,131.00 |
| 3. (=) New Base Amount | <u>\$32,221.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

 X The unsecured creditor pool remains \$0.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

CT	S-Frontier Motors	2002 Chevy Tahoe	\$7,071.52	\$134.55 per month
CT	S- Frontier Motors	2001 Honda	\$11,179.57	\$213.63 per month

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Debtors' income has significantly decreased. Debtors wish to modify to lower Chapter 13 plan payment.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

See Amended Schedules I & J on file with the Court.

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on 12/10/2013, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-1
Case 12-10047-rlj13
Northern District of Texas
Abilene
Tue Dec 10 11:07:56 CST 2013

United States Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-0996

306 Federal Building
1205 Texas Avenue
Lubbock, TX 79401-4037

Applied Card Bank
Attention: General Inquiries
PO Box 17125
Wilmington, DE 19850-7125

Asset Acceptance LLC
Po Box 2036
Warren MI 48090-2036

Asset Acceptance Llc
Attn: Bankruptcy
PO Box 2036
Warren, MI 48090-2036

Calvary Portfolio Services
Attention: Bankruptcy Department
500 Summit Lake Dr.
Valhalla, NY 10595-1340

Capital 1 Bank
Attn: Bankruptcy Dept.
PO Box 30285
Salt Lake City, UT 84130-0285

Capital One Bank -USA, N.A.
PO Box 71083
Charlotte, NC 28272-1083

Cheryl Louise Thayer
700 Foch
Ranger, TX 76470-2214

Cheryl Louise Thayer
P.O. Box 32
Ranger, TX 76470-0032

(p)CITIBANK
PO BOX 790034
ST LOUIS MO 63179-0034

Citifinancial , Inc.
P.O. Box 222178
Charlotte, NC 28222-2178

City Ntl Bk-Ocwen Loan Service
Attn: Bankruptcy
1661 Worthington Rd. Suite 100
West Palm Beach, FL 33409-6493

Clinical Pathology Associates
CO West Central Texas Collection Bureau
PO Box 2586
Abilene, TX 79604-2586

Cpu-citi - Conoco Phillips Union
Attn: Centralized Bankruptcy
PO Box 20363
Kansas City, MO 64195-0363

Credit Collections I
2601 NW Expressway Suite 1000E
Oklahoma City, OK 73112-7238

Eastland County Appraisal District
P.O. Box 914
Eastland, TX 76448-0914

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-4868

Frontier Motor Co.
4601 N. First Street
Abilene, TX 79603-6540

Frontier Motors
4609 N First
Abilene, TX 79603-6540

GE Capital Retail Bank
CO Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami, FL 33131-1605

Gemb-JC Penny
Attention: Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Gemb-chevron
Attention: Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Hsbc
PO Box 35480
Newark, NJ 07193-5480

Internal Revenue Service
1100 Commerce
MC 5029 DAL
Dallas, TX 75242-1100

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

LVNV Funding LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

LVNV Funding LLC
CO Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Lacks Furniture
1600 NE Loop 410 Suite 112
San Antonio, TX 78209-1612

Midland Credit Management, Inc.
8875 Aero Drive, Suite 200
San Diego, CA 92123-2255

Midland Credit Mgmt. Inc.
8875 Aero Dr
San Diego, CA 92123-2255

Monte J. White & Associates, P.C.
402 Cypress, Suite 310
Abilene, TX 79601-5151

National Capital Management, LLC
agent for GE Capital Retail Bank
8245 Tournament Drive
Suite 230
Memphis, TN 38125-1741

Nationstar Mortgage Llc
Attn: Bankruptcy
350 Highland Dr
Lewisville, TX 75067-4177

Ocwen Loan Servcing, LLC
1661 Worthington Rd., Ste. 100
West Palm Beach, FL 33409-6493

Ocwen Loan Servicing, L.L.C.
Attn: Bankruptcy Dept.
1661 Worthington Rd. Ste. 100
West Palm Beach, FL 33409-6493

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Premier Bankcard-Charter
P.O. Box 2208
Vacaville, CA 95696-8208

Quantum3 Group LLC as agent for
Second Round LP
PO Box 788
Kirkland, WA 98083-0788

Radiology Associates - RMA
CO West Central Texas Collection Bureau
PO Box 2586
Abilene, TX 79604-2586

Recovery Management Systems Corporation
25 SE 2nd Ave. Ste. 1120
Miami, FL 33131-1605

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Robert Blain Thayer
700 Foch
Ranger, TX 76470-2214

Robert Blain Thayer
P.O. Box 32
Ranger, TX 76470-0032

Second Round Lp
4150 Friedrich Lane Suit
Austin, TX 78744-1052

TARGET NATIONAL BANK
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

Target Credit Card -TC
CO Financial & Retail Services
Mailstop BT P.O. Box 9475
Minneapolis, MN 55440-9475

The Bank of New York Mellon
CO Ocwen Loan Servicing, LLC
Attn: Bankruptcy Department
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409-6493

Wctxcoll
Po Box 2586
Abilene, TX 79604-2586

eCAST Settlement Corporation
POB 29262
New York, NY 10087-9262

Cheryl Louise Thayer
P.O. Box 1325
Eastland, TX 76448-1325

Pamela Jean Chaney
Monte J. White & Associates, P.C.
American State Building
402 Cypress, Ste. 310
Abilene, TX 79601-5151

Robert Blain Thayer
P.O. Box 1325
Eastland, TX 76448-1325

Walter 12,13 OCheskey
6308 Iola Avenue
Lubbock, TX 79424-2735

Citibank Usa Home Depo

CITICORP CREDIT SERVICES-ATTN: CENTRALIZ

PO Box 20363

Kansas City, MO 64195

Internal Revenue Service

PO Box 21126

Philadelphia, PA 19114

Portfolio Recovery Associates, LLC

CO Jc Penney

POB 41067

Norfolk VA 23541

(d)Portfolio Recovery Associates, LLC

CO The Home Depot

POB 41067

Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Ocwen Loan Servicing, L.L.C.

Attn: Bankruptcy Dept.

1661 Worthington Rd. Ste. 100

West Palm Beach, FL 33409-6493

End of Label Matrix

Mailable recipients 54

Bypassed recipients 1

Total 55